



APPLICATION ACCEPTED: February 6, 2013
PLANNING COMMISSION: July 10, 2013
BOARD OF SUPERVISORS: July 30, 2013 @ 3:30 p.m.

County of Fairfax, Virginia

June 26, 2013

STAFF REPORT

SEA 85-D-062-03

DRANESVILLE DISTRICT

APPLICANT: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office (St. Luke's Catholic School and Church)

ZONING: R-2 (Residential, 2 du/ac)

PARCEL: 21-4 ((1)) 6

ACREAGE: 20.04 acres

FAR: 0.08

PLAN MAP: Public Facilities, Institutional or Governmental Use

SE CATEGORY: Category 3; Place of Worship with a Child Care Center, Nursery School, or Private School of General Education

PROPOSAL: To amend SE 85-D-062, previously approved for a place of worship and private school of general education, to permit the addition of a nursery school with no change in maximum enrollment and no new construction.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 85-D-062-03 subject to the draft development conditions in Appendix 1.

St.Clair Williams

Staff recommends reaffirmation of a modification of Sect. 13-303 of the Zoning Ordinance for the transitional screening requirements along all lot lines in favor of the existing landscaping.

Staff recommends reaffirmation of a waiver of Sect. 13-304 of the Zoning Ordinance for of the barrier requirements along all lot lines.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this special exception does not interfere with, abrogate, or annul any easement, covenants, or other agreements between parties as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

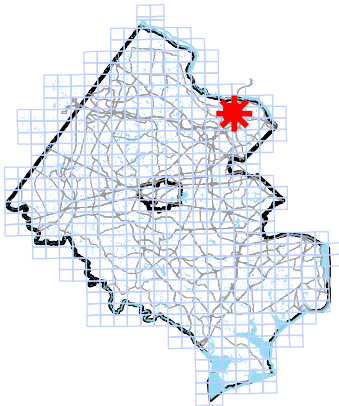
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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception Amendment

SEA 85-D -062-03



Applicant:

THE MOST REV. PAUL S. LOVERDE, BISHOP
OF THE CATHOLIC DIOCESE OF ARLINGTON, VA

Accepted:

02/06/2013

Proposed:

AMEND SE 85-D-062 PREVIOUSLY APPROVED
FOR CHURCH WITH PRIVATE SCHOOL OF
GENERAL EDUCATION TO PERMIT ADDITION
OF NURSERY SCHOOL

Area:

20.03 AC OF LAND; DISTRICT - DRANESVILLE

Zoning Dist Sect: 03-0204

Art 9 Group and Use: 3-15

Located:

7001 GEORGETOWN PIKE MCLEAN, VA 22101

Zoning:

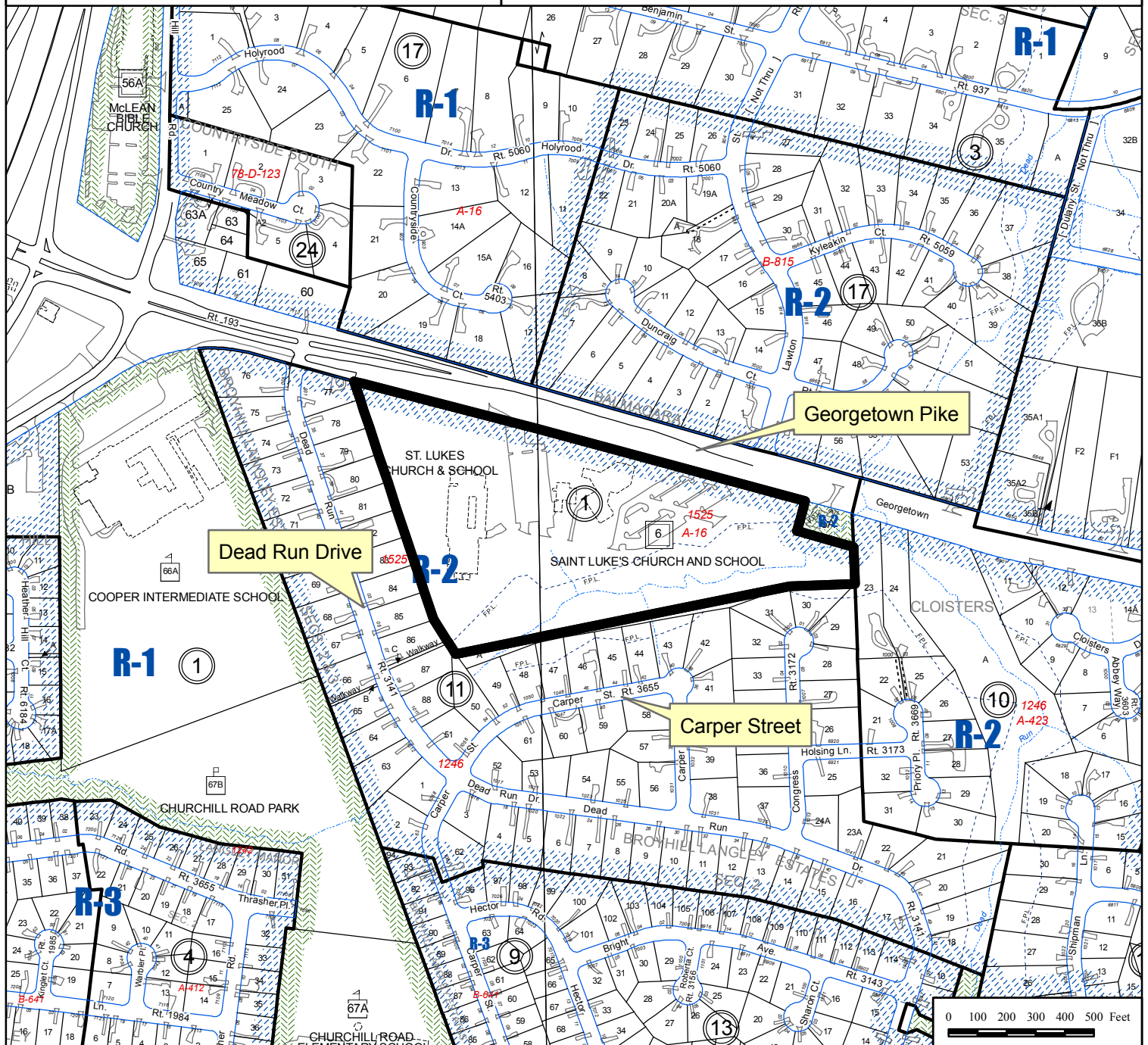
R-2

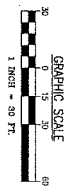
Plan Area:

2,

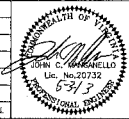
Map Ref Num:

021-4- /01/ /0006





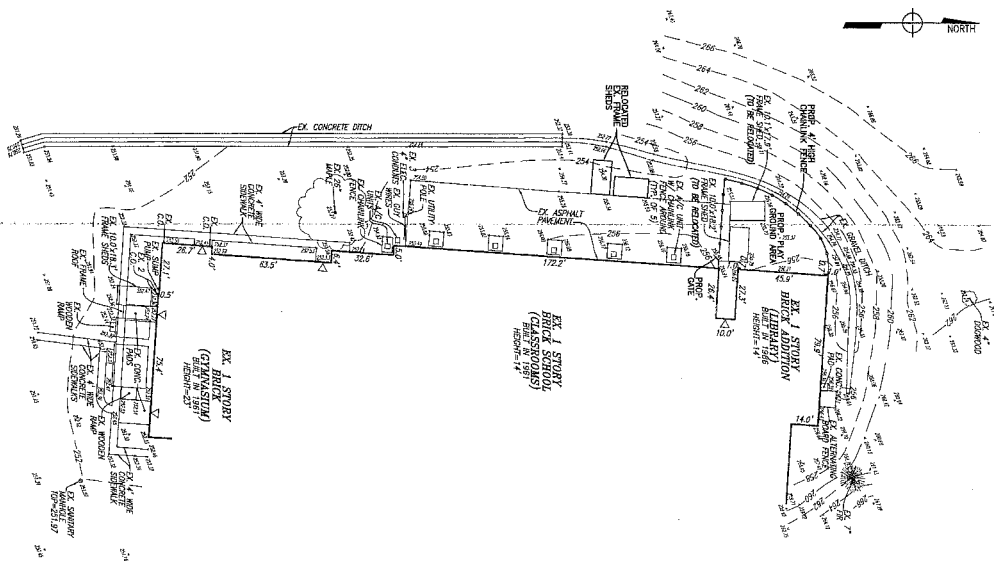
PROJ. NO. 11301.01	DATE	REVISIONS PRIOR TO APPROVAL
SCALE: 1" = 30'	12/13/2012	
SHEET: 3 OF 3		



PROPOSED PLAY GROUND EXHIBIT
SPECIAL EXCEPTION AMENDMENT PLAT
SAINT LUKE PARISH
7001 GEORGETOWN PIKE
DRANESVILLE DISTRICT, FAIRFAX COUNTY, VIRGINIA

PLEASE OF DOCUMENTS
THIS DOCUMENT IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND THE DEED AND RECORDING INFORMATION HEREIN, IS THE PROPERTY OF LAND DEVELOPMENT CONSULTANTS, INC. AND IS NOT TO BE COPIED OR USED, IN WHOLE OR IN PART BY ANY PERSONS WITHOUT THE WRITTEN AUTHORIZATION OF LAND DEVELOPMENT CONSULTANTS, INC.

LAND DEVELOPMENT CONSULTANTS, INC.
CIVIL ENGINEERING LAND PLANNING SURVEYING
10805 MAIN STREET, SUITE 700, FAIRFAX, VA 22030
ph. 703.591.5800 fax. 703.273.7951
www.landdevelopmentconsultants.com



APPLICATION DESCRIPTION

The applicant, The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office (St. Luke's Catholic School and Church), requests approval of an amendment to SE 85-D-062, previously approved for a place of worship and private school of general education, to permit the addition of a nursery school and child care center. The application does not propose any new construction or land disturbance on the subject property and no change in maximum enrollment is proposed. The project site is a single 20.04-acre parcel located at 7005 Georgetown Pike and is contained within the Residential (R-2) Zoning District. The school currently serves Kindergarten through eighth grade with a maximum permitted enrollment of 250 students at any one time. The proposed additional use would be housed within the existing school building.

A reduced copy of the special exception amendment plat is included at the front of this report. Copies of the proposed development conditions, the affidavit, and the applicant's statement of justification are included in Appendices 1, 2 and 3, respectively and an electronic copy of the staff report is available at <http://ldsnet.fairfaxcounty.gov/ldsnet/ZAPSMMain.aspx?cde=SEA&seq=4171370>.

Waivers and Modifications:

A modification of the transitional screening requirements along all lot lines and a waiver of the barrier requirements along all lot lines were previously approved with SEA 85-D-062-2. As no new construction or land disturbance is proposed with this application, the applicant has requested that the previously approved waivers and modifications be reaffirmed with this application.

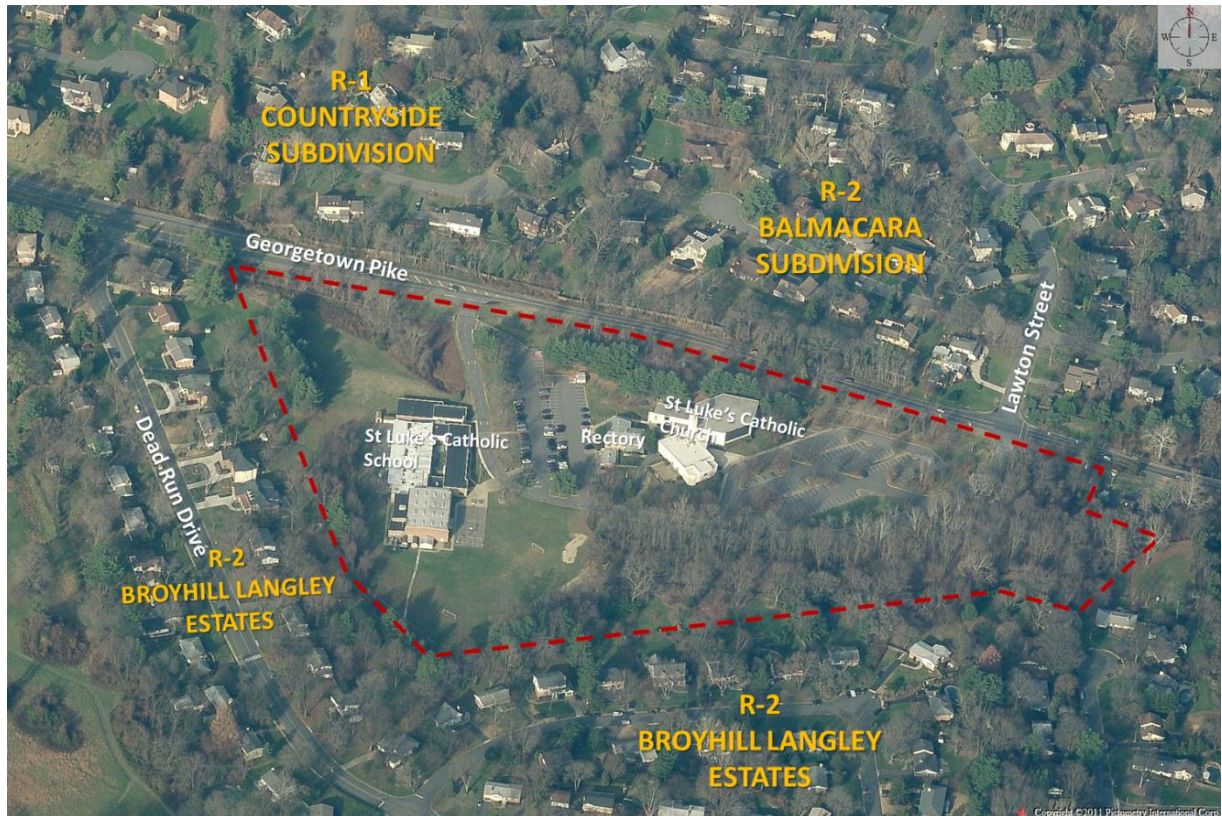
LOCATION AND CHARACTER

Site Description:

The 20.15-acre site is located on the south side of Georgetown Pike (Route 193), southeast of the intersection of Georgetown Pike and the Capital Beltway (I-495). The property's elevation falls away from Georgetown Pike toward a stream, which is located on the southern portion of the site.

Surrounding Area:

There are two single family detached subdivisions located to the north of the application property, zoned R-1 and R-2. The Broyhill Langley Estates and Cloisters subdivisions are zoned R-2 and located to the east, south, and west of the application property.



Aerial View of the Subject Site

BACKGROUND

In 1961, the Board of Zoning Appeals (BZA) granted a Special Permit (#2139) to establish a church and private school of general education on the site in two buildings.

In March of 1980, the BZA granted Special permit SP 80-D-010 to allow a new church building and a parking lot.

On November 18, 1985, the Board of Supervisors (BOS) approved SE 85-D-062 to permit a library addition to the private school of general education.

On November 19, 1985, the BZA granted SPA 90-D-010-1 to reflect the changes allowed with SE 85-D-062

On May 10, 1988, the BZA granted SPA 80-D-010-2 to permit the addition of a garage, and commons building to the existing private school of general education.

On October 31, 1988, the BOS approved SEA 85-D-062 to permit the addition of a garage, and commons building to the existing private school of general education.

On June 17, 1996, the BOS approved SEA 85-D-062-2 to permit construction of additions to the school building.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	II
Planning District:	McLean
Planning Sector:	M-4 Balls Hill Community Planning Sector
Plan Map:	Public Facilities, Institutional or Governmental Use

Plan Text:

Fairfax County Comprehensive Plan, 2011 Edition; McLean Planning District, as amended through April 9, 2013; Pages 111 and 113 state:

Land Use

The Balls Hill sector is largely developed as stable residential neighborhoods. Infill development in this sector should be of a compatible use, type, and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Transportation

Georgetown Pike should be maintained within its existing right-of-way. Center turn lanes and deceleration and acceleration lanes should be discouraged and curb cuts should not be allowed unless no other alternative exists. Georgetown Pike is commonly acknowledged to contain some traffic hazards. However, it is generally acceptable in its present condition to local residents. It has been designated a Virginia Byway. Major changes in alignment or widening the road would damage the scenic and historic character and historic integrity of the Byway and have strongly been opposed by residents of adjacent areas. Planning efforts should focus on means of dealing with traffic volume in order to maintain this Byway. Scenic and conservation easements should be sought along Georgetown Pike wherever practical for the preservation of the historic and scenic significance and beauty of the corridor.

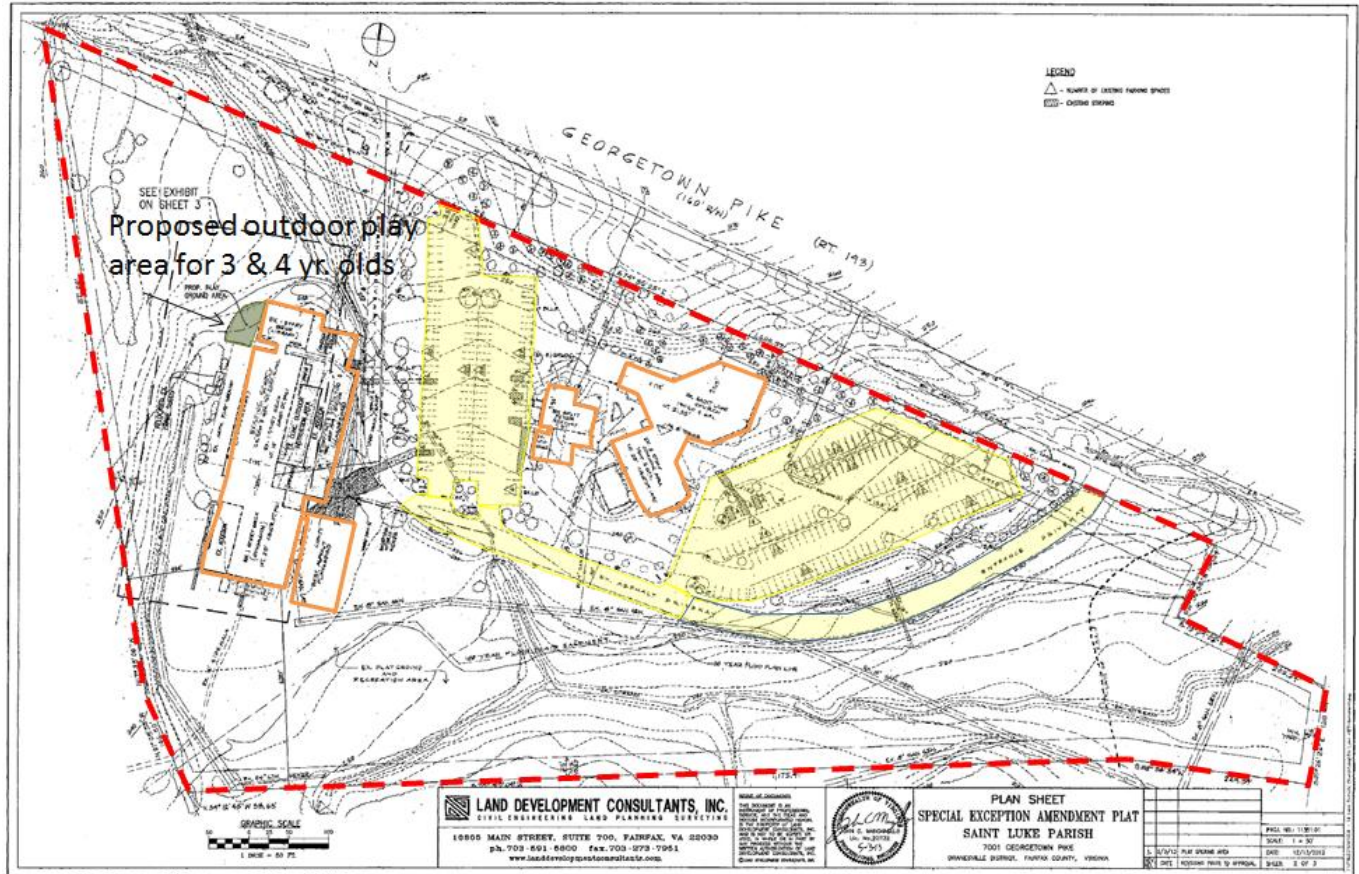
DESCRIPTION

Special Exception Amendment Plat: (copy at front of staff report)

Title: St. Luke Catholic Church, 7001 Georgetown Pike

Prepared by: Land Development Consultants, Inc.

Original and Revision Dates: December 13, 2012, as revised through May 3, 2013



Existing Site Conditions: The site is developed with a two-story, 800-seat church, a split-level rectory, and a 23,500 SF school building, which houses the private school of general education (K- 8th Grade). Parking for all uses is provided on surface lots. A stream flows through the southern portion of the site, with a 100-Year flood plain easement and Resource Protection Area (RPA).

Access and Parking: There are two access points to the subject property along Georgetown Pike. A full access is located at the eastern portion of the site, and the western access point is an "exit only." Existing signage at the western access point indicates that vehicular movement into the site is prohibited at that access. Student drop-off and pick-up, and school parking are provided along the east

side of the school building within the driveway and the surface parking area is located in that portion of the site; both would remain unchanged.

Plantings and Open Space: No changes are proposed to the previously approved plantings or open space.

Stormwater Management: No changes are proposed to the previously approved stormwater management system.

SEA Proposal: The proposal includes the addition of a nursery school and child care to an existing private school of general education. The school currently serves Kindergarten through eighth grade with a maximum permitted enrollment of 250 students. The proposed nursery school would be housed in the existing school building and would operate under the existing student capacity limit of 250 students at any one time. There would be no change to the hours of operation, which are currently 7:00 a.m. to 6:30 p.m., Monday through Friday. Supervised care would be made available for all students before and after school during the normal hours of operation, 7:00 a.m. to 6:30 p.m., Monday through Friday, and may be considered as child care.

The nursery school would operate within existing classrooms. While some internal renovation of the nursery school classrooms may be required, no exterior building construction is planned for the site. A playground area with equipment appropriate for three and four year olds is shown to be provided along the northeastern façade of the building, outside the portion of the building where the nursery school classrooms will be located. The nursery school would operate from Monday through Friday and have two sessions: a morning session from 8:15-11:15 a.m. and an afternoon session from 12:00-3:00 p.m. It is anticipated that 3-year olds would attend two sessions a week and that 4-year olds would attend three sessions a week.

LAND USE ANALYSIS

The Comprehensive Plan Map designates the subject site for Public Facilities, Institutional, or Governmental Use. Comprehensive Plan guidance for the Balls Hill Community Planning Sector recommends that infill development in these neighborhoods should be of a compatible use, type, and intensity.

The subject application has been filed to allow a nursery school and child care center use to be added to a site containing a previously approved church and private school of general education. The proposed use would be housed in the existing school building, would operate under the existing student capacity limit, and would not entail any external physical changes to the property. The proposed nursery school is a logical extension of the current academic program at the school and would enhance learning opportunities. The nursery school as

proposed would not increase the intensity of the uses on the site. Therefore, in staff's opinion the proposed use is in harmony with the land use guidance of the Comprehensive Plan

TRANSPORTATION ANALYSES (Appendices 4 & 5)

Agency comments were received from the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT). Comments and recommendations included the following:

Left Turn Lane:

Both VDOT and FCDOT staff recommended that the applicant provide an operational traffic analysis to determine if a separate left turn lane is warranted at the eastern access point to the site along Georgetown Pike and, if warranted, provide the subject left-turn lane.

FCDOT staff has consistently recommended that a left turn lane on Georgetown Pike be provided by the applicant pursuant to each of the previously requested Special Permits and Special Exception applications. However, the Comprehensive Plan recommends that the existing right-of-way for Georgetown Pike should be maintained, and that road widening associated with the provision of center turn lanes, deceleration lanes, and acceleration lanes should be discouraged unless no other alternative exists. The Plan further states that Georgetown Pike has been designated a Virginia Byway, and major changes in alignment or widening of the road would damage the scenic and historic character and historic integrity of the Byway.

While the application proposes the addition of a child care center and nursery school on the property, the applicant does not propose to increase the maximum enrollment on the site at any one time. Since there is no change proposed to the maximum number of students, it is not expected that this application will generate more traffic from that currently approved for the site. As an alternative to providing a left turn lane and the eastern access, staff has proposed a development condition (#10), which will require the applicant to designate a carpool coordinator to administer and encourage participation in a carpool program designed to reduce the number of vehicle trips to and from the site during peak hours. Based on the transportation related guidance of the Comprehensive Plan and the draft development conditions, staff finds that the issue has been resolved with regards to this application. However, if future applications generate a significant increase in intensity, traffic or change in traffic pattern or timing, the improvements recommended by VDOT and FCDOT will be recommended.

Maximum Enrollment:

It was unclear to FCDOT staff as to the combined maximum enrollment for both the private school of general education and nursery school. Therefore, staff has drafted a development condition to clarify that the maximum combined enrollment for the private school of general education and the nursery school will be 250 students at any one time. This results in no change from the current maximum enrollment for the site. Therefore, this issue has been resolved.

Carpool Coordinator:

A development condition has been proposed to establish a carpool coordinator for the private school of general education and nursery school to address the request by FCDOT to reduce trips to the site.

Sight Distance:

The applicant submitted a sight distance profile for the access points along Georgetown Pike. VDOT staff has reviewed the profile and determined that the sight distance for both entrances have been verified and comply with VDOT standards.

ENVIRONMENTAL ANALYSIS

Given the lack of external physical changes to the campus, environmental review staff had no comments regarding this proposal.

URBAN FORESTRY ANALYSIS

Given that no changes are proposed to previously approved plantings or open space, staff had no comments regarding this proposal.

STORMWATER MANAGEMENT ANALYSIS

Given that no changes are proposed to the previously approved stormwater management system, staff had no comments regarding this proposal.

ZONING ORDINANCE PROVISIONS (Appendix 6)**Overview**

This property is in an R-2 Residential District and per Section 3-404-2.B. of the Zoning Ordinance, child care centers and nursery schools are permissible as Category 3 Special Exception uses.

Lot Size Requirements, Bulk Regulations, & Transitional Screening and Barrier Requirements

Lot size requirements, bulk regulations, and transitional screening and barrier requirements were considered with the previous approval. The proposal meets all of the lot and bulk requirements of the R-2 District. The transitional screening requirement along all of the property lines were modified with the previous approval in favor of that shown on the special exception plat. The barrier requirement along all of the property lines were waived the previous approval. The applicant has requested that the previously approved waivers and modification be reaffirmed with this application.

Parking

PARKING TABULATIONS		
USE	REQUIRED	PROVIDED (EXISTING)
Place of Worship 1 per 4 seats (800 seats)	200	200
Elementary School 1 per staff/faculty + 4 visitor spaces (30 staff)	34	34
Nursery School 0.19 per child (20 students at any one time)	4	0
Total	238 spaces	234 spaces

Based on the uses proposed with this application, in accordance with the Zoning Ordinance, 238 total parking spaces combined would be required for the existing and proposed uses. Currently there are 234 existing parking spaces on the site. While the site has the capacity for parking of the uses individually, the Zoning Ordinance requires sites with multiple uses to provide the parking for all uses on the site at any given time even though the uses are under a single ownership. In order to allow the sharing of parking between uses, the applicant will need to apply for and obtain a shared parking agreement between the different uses on the subject property. A draft development condition (#9) has been included in Appendix 1 of this staff report to address the shared parking issue.

Sect. 9-006 General Special Exception Standards

All special exception uses shall satisfy the general special exception standards. The site's compliance with these general standards were reviewed and evaluated with the previous special exception approved for the site. This application proposes no new construction or land disturbance, and no change in the maximum enrollment allowed on the site at any one time. As previously discussed, the site has the capacity for parking all of the existing and proposed uses individually; however, sites with multiple uses are required to provide the

parking for all uses on the site combined at any given time. In order to allow the sharing of parking between uses, the applicant will need to apply for and obtain a shared parking agreement between the different uses on the subject property. To ensure this, a draft development condition (#9) has been included to address the shared parking issue.

Sect. 9-304 Standards for All Category 3 Uses

The site's compliance with the applicable standards for Category 3 standards was reviewed and evaluated with the previous special exception approved for the site. This application proposes no new construction or land disturbance, and no change in the maximum enrollment allowed on the site at any one time. The development will continue to comply with the bulk regulations of the R-2 Zoning District. Although no site plans would be necessary for the proposed uses, previously approved uses would continue to be required to comply with the provisions of Article 17 of the Zoning Ordinance. However, in order to establish the new use, the applicant must obtain a Non-Residential Use Permit (Non-RUP). Therefore, in staff's opinion; this application complies with the applicable Category 3 standards.

Sect. 9-309 Additional Standards for Child Care Centers and Nursery Schools

Standard 1 states the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed. Standard 2 states all such uses shall have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. Standard 3 states that all such uses shall be located so as to permit the pick-up and delivery of all persons on the site; and Standard 4 states that such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia

The applicant has designated three areas as usable outdoor recreation area (play areas) in accordance with both Sect. 9-309 and Sect. 9-310. The adequacy of the street type to which the site has access to was evaluated with the previously approved applications for the site. The proposed uses would use the existing student drop-off/pick-up location adjacent to a covered building entrance on the eastern side of the existing school building, and there is adequate space for handling the drop-off/pick –up and vehicle stacking on the site. The applicant would be required to comply with all applicable regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia. Therefore, in staff's opinion these standards will be met with the subject application.

Sect. 9-310 Additional Standards for Private Schools of General Education and Private Schools of Special Education

The site's compliance with the additional standards for private schools of general education were evaluated with the previous application approved for the site, and no changes are proposed to the private school of general education use, therefore the site will continue to comply with the standards of Sect. 9-310.

Sect. 9-314 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School

"Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special exception use in accordance with the provisions of this Part or as a special permit use in accordance with the provisions of Part 3 of Article 8. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 309 and 310 above."

The application complies with Sections 9-309 and 9-310, as discussed above.

CONCLUSIONS AND RECOMMENDATIONS**Staff Conclusions**

Given that the proposed nursery school would be housed in the existing school building and that no structural improvements or exterior construction are planned, staff concludes that the proposal would have no adverse impacts on the surrounding area.

Furthermore, staff concludes that the proposed nursery school and child care center are logical extensions of the school's current academic program and would enhance learning opportunities. Although the student age mix would change with the addition of a nursery school and child care center, the intensity of the approved uses would not increase above the levels previously approved. Additionally, the addition of a carpool coordinator may help mitigate the impacts of vehicle trips generated by the school.

Staff concludes that the proposed uses would be in harmony with the Comprehensive Plan and the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of SEA 85-D-062-03 subject to the development conditions contained in Appendix 1.

Staff recommends reaffirmation of a modification of Sect. 13-303 of the Zoning Ordinance for the transitional screening requirements along all lot lines in favor of the existing landscaping.

Staff recommends reaffirmation of a waiver of Sect. 13-304 of the Zoning Ordinance for of the barrier requirements along all lot lines.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate, or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. FCDOT - Transportation Analysis
5. VDOT - Transportation Analysis
6. Applicable Zoning Ordinance Provisions
7. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SEA 85-D-062-03

June 26, 2013

If it is the intent of the Board of Supervisors to approve SEA 85-D-062-03 located at 4601 Ravensworth Road, Tax Map 21-4 ((1)) 6, to permit an amendment to SE 85-D-062, previously approved for a place of worship, and private school of general education, to permit the addition of a nursery school and child care center pursuant to Sect. 3-404 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions. (Those conditions carried forward from the previous approval are marked with an asterisk*).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.*
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Amendment Plat, Saint Luke Catholic Church," prepared by Land Development Consultants, Inc. and dated December 13, 2012, and revised through May 3, 2013, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Vehicular movements into the site at the westernmost entrance shall be prohibited. A "Do Not Enter" sign at the westernmost entrance shall remain.*
5. The maximum number of seats in the sanctuary shall be 800.*
6. The maximum number of employees on site shall not exceed 35.
7. The total maximum daily enrollment of the private school of general education, child care center, and nursery school shall not exceed 250 students at any one time.
8. The hours of operation of the private school of general education, and nursery school, shall be limited to 7:00 a.m. to 6:30 p.m., Monday through Friday.*
9. All parking shall be on site as depicted on the Special Exception Amendment Plat. A parking reduction shall be obtained through the Department of Public Works and Environmental Services (DPWES) as required for Sect. 11-106.3 of the Zoning

Ordinance prior to issuance of a Non-RUP for the nursery school to permit the shared use of the church, parking lot for both the church use and school uses. If approval of a parking reduction is not obtained, the number of seats in the worship area and/or the number of children in the private school of general education or nursery school shall be reduced to meet the parking requirements as determined by DPWES.

10. The applicant shall designate a carpool coordinator to administer and encourage participation in a carpool program designed to reduce the number of vehicle trips to and from the school during peak hours as a mechanism to minimize daily vehicular trips. A carpool program shall be submitted to FCDOT within 90 days after the approval of this application. An annual report shall be submitted to FCDOT in October of each year that demonstrates through surveys or other means of data collection how the number of vehicle trips to and from the school have been reduced. After the first three years of annual reports, these reports may be provided every two or three years, or not at all if mutually agreed to by the applicant and FCDOT.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2013
 (enter date affidavit is notarized)

I, Keith C. Martin, Agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) ☐ applicant
 ☒ applicant's authorized agent listed in Par. 1(a) below

119749

in Application No.(s): SEA 85-D-062-03
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
The Most Rev. Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, VA Mark J. Anthony, Louis Silvano	200 N. Glebe Rd. Arlington, VA 22203	Applicant/Title Owner Agents
Tramonte, Yeonas, Roberts & Martin PLLC Keith C. Martin	8245 Boone Blvd, Suite 400 Vienna, VA 22182	Attorneys/Agents Attorney/Agent

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

- * In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2013
(enter date affidavit is notarized)

119749

for Application No. (s): SEA 85-D-062-03
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Tramonte, Yeonas, Roberts & Martin PLLC
8245 Boone Blvd, Suite 400
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Vincent A. Tramonte II
George P. Yeonas
Jill J. Roberts
Keith C. Martin

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2013
(enter date affidavit is notarized)

119749

for Application No. (s): SEA 85-D-062-03
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2013
(enter date affidavit is notarized)

119749

for Application No. (s): SEA 85-D-062-03
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)
None.

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

Application No.(s): SEA 85-D-062-03

(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 26, 2013
(enter date affidavit is notarized)

11 9749

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
None

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) ☐ Applicant ☒ Applicant's Authorized Agent

Keith C. Martin, Agent

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 26th day of February, 2013, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 1-31-2014
136479



TRAMONTE, YEONAS, ROBERTS & MARTIN PLLC
ATTORNEYS AND COUNSELLORS AT LAW

8245 BOONE BOULEVARD, SUITE 400
VIENNA, VIRGINIA 22182
TELEPHONE: 703-734-4800
FACSIMILE: 703-442-9532

RECEIVED
Department of Planning & Zoning

DEC 20 2012

Zoning Evaluation Division

December 13, 2012

Ms. Barbara Berlin
Dept. of Planning and Zoning
12055 Government Center Pkwy., Suite 801
Fairfax, VA 22035

Re: SEA 85-D-062-03
The Most Rev. Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, VA
St. Luke Nursery School

Dear Ms. Berlin:

The following is submitted as a statement of justification for the above-referenced application. The Catholic Diocese of Arlington, in conjunction with St. Luke School, is requesting approval to add a Nursery School program to its existing Private School of Education. The three and four year old Nursery School programs will utilize existing classroom space and will not require any building additions. The three year old program will have a maximum of 20 students and the four year old program will have a maximum of 20 students. Five additional employees will be needed to supervise the Nursery School programs.

The following is a description of the proposed Special Exception Use:

A. Type of Operation.

Church (Existing) with Private School of General Education with an enrollment of 100 or more Students daily (Existing) and a Nursery School.

B. Hours of Operation.

Private School: 7:45 a.m. to 3:00 p.m., Monday – Friday with after school care until 6:00 p.m.

Nursery School: 7:45 a.m. to 3:00 p.m., Monday – Friday, three year old Program Limited to maximum of 4 hours a day.

10 - 3 year olds: Tues. and Thurs. mornings

10 young 4 year olds: Mon., Wed. and Fri. mornings

20 – 4 year olds: Monday – Friday afternoons

C. Estimated Number of Students.

Private School: 250 Students – Kindergarten through 8th Grade

Nursery School: 10 Students – Three Years Old
30 Students – Four Years Old

D. Proposed Number of Employees/Teachers.

Private School: 30

Nursery School: 5

E. Estimated Traffic Impact.

300 vehicular trips per day.

125 a.m. peak hour

50 p.m. peak hour

F. Vicinity to be served: McLean/Great Falls.

G. Description of building façade: Brick, Precast.

H. No hazardous substances.

I. Proposed use conforms to all applicable ordinances.

Please accept the following submission amendments:

- 4 copies of Statement of Justification.
- 4 copies of completed Application.
- 1 copy of Affidavit.
- Site photos and diskette.
- Zoning Section sheet 21-4.
- Agent Authorization letter.
- 23 copies of Special Exception Plat, plus one reduction.

Very truly yours,



Keith C. Martin

cc: Mark A. Anthony
Louis Silvano



County of Fairfax, Virginia

MEMORANDUM

DATE: June 12, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief *AKR*
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 85-D-062)

SUBJECT: Transportation Impact

REFERENCE: SEA 85-D-062-03; Reverend Paul S. Loverde- St. Luke Nursery School
Traffic Zone: 1455
Land Identification Map: 21-4 ((01)) 6

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the applicant's justification and special exception plat dated December 13, 2012.

The applicant is requesting to add a Nursery School program with a total enrollment for 40 students.

- The applicant's justification is unclear as to the combined total maximum enrollment for both the Private School and Daycare. Notwithstanding, the applicant should commit to a specific total maximum.
- The applicant should provide an operational traffic analysis to determine if a separate left turn lane is warranted. The analysis should include the additional trips anticipated for the five additional daycare employees and include the trips generated for the daily church service at 8:00 am. If warranted, the applicant should provide a separate left turn lane on Georgetown Pike.
- The applicant should commit to designate a carpool coordinator to administer and encourage participation in a car pool program designed to reduce the number of vehicle trips to and from the school during peak hours to minimize daily vehicular trips. An annual report should be submitted to FCDOT in October of each year that shows how the number of vehicle trips to and from the school have been reduced. After the first three years of annual reports, these reports may be provided every two or three years, or not at all, if mutually agreed to by the applicant and FCDOT.

AKR/ak



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030

June 17, 2013

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: SEA 85-D-062-03; Saint Luke Parish

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the associated sight distance profiles and offers the following comment.

- The profiles are adequate. Sight distance for both entrances has been verified.



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030

April 8, 2013

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: SEA 85-D-062-03; Saint Luke Parish

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the subject application and offers the following comments.

- A right and left turn lane, peak hour, analysis should be submitted for review (Georgetown Pike entrance).
- Sight distance for the entrance along Georgetown Pike should be verified.
- The County should update the associated Conditions per the above.

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-304 Standards for all Category 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.
2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
4. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Additional Standards for Child Care Centers and Nursery Schools

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed. For the purpose of this provision, usable outdoor recreation area shall be limited to:
 - A. That area not covered by buildings or required off-street parking spaces.
 - B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
 - C. Only that area which is developable for active outdoor recreation purposes.
 - D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.
2. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
1-75	Local
76-660	Collector
660 or more	Arterial

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia.

9-310 Additional Standards for Private Schools of General Education and Private Schools of Special Education

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:

- A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
- B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the required front yard.
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school of special education shall be based upon a determination made by the Board; provided, however, that the proposed use conforms with the provisions set forth in Sect. 304 above.

3. All private schools shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 above. If applicable, such uses shall also be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia.

9-314 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Places of Worship With a Child Care Center, Nursery School or Private School

Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special exception use in accordance with the provisions of this Part or as a special permit use in accordance with the provisions of Part 3 of Article 8. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 309 and 310 above.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		